

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

JOSE RIVERA MARES,) Case No.: 10-CV-04449-LHK
Petitioner,) Criminal Case No.: 09-CR-00885-LHK-1
v.) ORDER DIRECTING UNITED
UNITED STATES OF AMERICA,) STATES TO RESPOND TO
Respondent.) § 2255 MOTION

Petitioner Jose Rivera Mares, a prisoner in federal custody, has filed a Motion to Vacate, Set Aside, or Correct a Sentence pursuant to 28 U.S.C. § 2255. Good cause appearing, the Court hereby orders as follows:

- (1) The Clerk of the Court shall serve a copy of this Order, the motion, and all attachments thereto upon Respondent and Respondent's attorney, the United States Attorney. The Clerk shall also serve a copy of this Order on Movant.
- (2) Within 30 days of this Order, Respondent shall file with this Court and serve upon Movant an answer or other response in conformance with Rule 5 of the Rules Governing Section 2255 proceedings.
- (3) Movant may file a reply within 30 days of receiving Respondent's answer.

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1 (4) Unless otherwise ordered by the Court, the matter will be deemed submitted upon the filing
2 of the reply or upon expiration of the time to file a reply.

3 **IT IS SO ORDERED.**

4 Dated: January 19, 2012

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6 LUCY H. KOH
7 United States District Judge